



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB0891**

Introduced 2/2/2005, by Rep. John J. Millner

**SYNOPSIS AS INTRODUCED:**

705 ILCS 105/27.3a

from Ch. 25, par. 27.3a

Amends the Clerks of Courts Act. Provides that a county board may authorize the clerk in its county to charge and collect an additional \$2 automation fee for use by the State's Attorney of the county to defray its office expenses relating to the automation of court records. Provides that costs allowed to be paid from the additional \$2 fee collected include hardware, software, research and development costs and personnel expenses related thereto, provided that the expenditure is requested and approved by the State's Attorney and by the county board.

LRB094 07392 LCB 37551 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Clerks of Courts Act is amended by changing  
5 Section 27.3a as follows:

6 (705 ILCS 105/27.3a) (from Ch. 25, par. 27.3a)

7 Sec. 27.3a. Fees for automated record keeping.

8 1. The expense of establishing and maintaining automated  
9 record keeping systems in the offices of the clerks of the  
10 circuit court shall be borne by the county. To defray such  
11 expense in any county having established such an automated  
12 system or which elects to establish such a system, the county  
13 board may require the clerk of the circuit court in their  
14 county to charge and collect a court automation fee of not less  
15 than \$1 nor more than \$5 to be charged and collected by the  
16 clerk of the court. A county board may authorize the clerk in  
17 its county to charge and collect an additional \$2 automation  
18 fee for use by the State's Attorney of the county to defray its  
19 office expenses relating to the automation of court records.  
20 Such fee shall be paid at the time of filing the first  
21 pleading, paper or other appearance filed by each party in all  
22 civil cases or by the defendant in any felony, traffic,  
23 misdemeanor, municipal ordinance, or conservation case upon a  
24 judgment of guilty or grant of supervision, provided that the  
25 record keeping system which processes the case category for  
26 which the fee is charged is automated or has been approved for  
27 automation by the county board, and provided further that no  
28 additional fee shall be required if more than one party is  
29 presented in a single pleading, paper or other appearance. Such  
30 fee shall be collected in the manner in which all other fees or  
31 costs are collected.

32 2. Each clerk shall commence such charges and collections

1 upon receipt of written notice from the chairman of the county  
2 board together with a certified copy of the board's resolution,  
3 which the clerk shall file of record in his office.

4 3. Such fees shall be in addition to all other fees and  
5 charges of such clerks, and assessable as costs, and may be  
6 waived only if the judge specifically provides for the waiver  
7 of the court automation fee. The fees shall be remitted monthly  
8 by such clerk to the county treasurer, to be retained by him in  
9 a special fund designated as the court automation fund. The  
10 fund shall be audited by the county auditor, and the board  
11 shall make expenditure from the fund in payment of any cost,  
12 including costs incurred by the clerk of the circuit court and  
13 the State's Attorney that are related to the automation of  
14 court records and the operation and maintenance of the courts.  
15 Costs allowed to be paid from funds collected under this  
16 Section for the use of the clerk include, ~~including~~ hardware,  
17 software, research and development costs and personnel related  
18 thereto, provided that the expenditure is approved by the clerk  
19 of the court, and by the chief judge of the circuit court or  
20 his designate, and by the county board. Costs allowed to be  
21 paid from the additional \$2 fee authorized by this amendatory  
22 Act of the 94th General Assembly and collected under this  
23 Section for use by the State's Attorney include hardware,  
24 software, research and development costs and personnel  
25 expenses related thereto, provided that the expenditure is  
26 requested and approved by the State's Attorney and by the  
27 county board.

28 4. Such fees shall not be charged in any matter coming to  
29 any such clerk on change of venue, nor in any proceeding to  
30 review the decision of any administrative officer, agency or  
31 body.

32 (Source: P.A. 87-669; 87-670; 87-671; 87-838; 87-1230.)